



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

April 27, 2020

**VIA ECF**

Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED**

Re: *Dzhabrailov v. Decker*, 20 Civ. 3118 (KPF)

Dear Judge Failla:

This Office represents the government in the above-referenced immigration habeas matter. The government's deadline to respond to the habeas petition is today. In advance, I write respectfully to request permission to file under seal the petitioner's medical records from the Orange County Jail. The government understands that, pursuant to Rule 9.A of this Court's Individual Rules of Practice for Civil Cases, parties may, without prior Court approval, redact from their public filings certain categories of information requiring caution described in the Privacy Policy, which includes medical records. However, the government seeks to file the documents in their entirety under seal, and thus, out of an abundance of caution, submits this request for leave to do so. Consistent with Rule 9.C of this Court's Individual Rules, these documents will be filed under seal on ECF and electronically related to this letter motion. Counsel for the petitioner consents to this request to seal the petitioner's medical records.

I thank the Court for its consideration of this request.

Respectfully,

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

by: /s/ Brandon M. Waterman  
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cc: Counsel of Record (via ECF)

Application GRANTED. The Government is permitted to electronically file under seal information relating to Petitioner's medical condition. The documents shall be filed as viewable to the Court and parties only.

Dated: April 27, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE